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10 *Attorneys for Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 U.S. BANK TRUST, N.A., AS TRUSTEE FOR
14 LSF9 MASTER PARTICIPATION TRUST,

15 Plaintiff,

16 vs.

17 CARLOS MIRANDA, an individual;
18 ANTONIA MIRANDA, an individual;
19 JENNIFER UZAN ST. JOHN (a.k.a.
20 JENNIFER UZAN), an individual; and
21 STERLING AT SILVER SPRINGS
22 HOMEOWNERS ASSOCIATION; a domestic
23 non-profit corporation,

24 Defendants.

Case No.: 2:18-cv-02008-RCJ-DJA

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

25 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, U.S. Bank
26 Trust, N.A., as Trustee for LSF9 Master Participation Trust (“Plaintiff”), through its counsel of
27 record, Robert A. Riether, Esq. and Rock K. Jung, Esq., of the law firm Wright, Finlay & Zak,
28 LLP; Defendants, Carlos Miranda, Antonia Miranda, and Jennifer Uzan St. John (collectively
“Buyers”), by and through their counsel of record, Michael Beede, Esq., and James W. Fox,
Esq., of The Law Office of Mike Beede, PLLC; and Defendant, Sterling at Silver Springs
Homeowners Association (“HOA”), through its counsel of record, Robert T. Robbins, Esq., and
Elizabeth B. Lowell, Esq., of the Robbins Law Firm (collectively, the “Parties”), for dismissal of
this action as follows:

1 WHEREAS:

2 1. The real property which is the subject of this suit is commonly known as 5026
3 Mascaro Dr., Las Vegas, Nevada 89122; APN 161-26-110-050 ("Property") and is part of the
4 HOA;

5 2. On October 17, 2018, Plaintiff filed a Complaint for Quiet Title against Buyers
6 and HOA [ECF No. 1];

7 3. On August 2, 2019, the Parties filed a Joint Notice of Settlement [ECF No. 44];

8 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** that all
9 claims in Plaintiff's Complaint against Buyers and HOA shall be dismissed in their entirety *with*
10 *prejudice*.

11 **IT IS FURTHER STIPULATED AND AGREED** that nothing in this Stipulation and
12 Order is intended to be, or will be, construed as an admission of the claims or defenses of the
13 Parties.

14 **IT IS FURTHER STIPULATED AND AGREED** that this Stipulation and Order is in
15 no way intended to impair the rights of Plaintiff (or any of its authorized servicers, agents,
16 investors, affiliates, predecessors, successors, and assigns) to pursue any and all remedies
17 against its borrower, as defined in the Note, Annette Winn ("Borrower"), that Plaintiff (or any
18 of its authorized servicers, agents, investors, affiliates, predecessors, successors, and assigns)
19 may have relating to the Note, including the right to sue Borrower for any deficiency.

20 **IT IS FURTHER STIPULATED AND AGREED** that U.S. BANK TRUST, N.A., AS
21 TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST has not further right, title, interest,
22 or claim to the real property located at 5026 Mascaro Dr., Las Vegas, Nevada 89122 and
23 bearing Clark County Assessor's Parcel Number 161-26-110-050.

24 **IT IS FURTHER STIPULATED AND AGREED** that that certain Deed of Trust
25 which was recorded as Clark County Recorder's Instrument Number 200201300002623 does
26 not encumber the real property located at 5026 Mascaro Dr., Las Vegas, Nevada 89122 and
27 bearing Clark County Assessor's Parcel Number 161-26-110-050.

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1 **IT IS FURTHER STIPULATED AND AGREED** that each Party shall bear its own
2 attorney's fees and costs incurred in this litigation and settlement.

3 **IT IS SO STIPULATED.**

4 Dated this 29th day of October, 2019.

5
6 WRIGHT, FINLAY & ZAK, LLP

THE LAW OFFICE OF MIKE BEEDE,
PLLC

7
8 /s/ Rock K. Jung

/s/ Michael Beede

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17 ROBBINS LAW FIRM

18 /s/ Elizabeth B. Lowell

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22 Nevada Bar No. 8551
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25 Attorneys for Defendant, Sterling at Silver
26 Springs Homeowners Association

27 IT IS SO ORDERED:

28 
UNITED STATES DISTRICT COURT JUDGE

DATED: ___ October 31, 2019. ___